

CHAPTER 147

NATURAL RESOURCES

SENATE BILL 23-069

BY SENATOR(S) Hinrichsen and Will, Jaquez Lewis, Priola;
also REPRESENTATIVE(S) McLachlan and Soper, Boesenecker, Brown, Lindsay, Michaelson Jenet, Snyder, Velasco, Woodrow,
McCluskie.

AN ACT**CONCERNING THE REQUIREMENTS TO OPERATE A MOTORBOAT IN THIS STATE.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend** 33-13-107.1 as follows:

33-13-107.1. Minimum age of motorboat operators - penalty - exception.

(1) ~~No person~~ AN INDIVIDUAL under ~~sixteen~~ EIGHTEEN years of age shall NOT operate a motorboat in this state except as provided in this section.

(2) ~~A person~~ AN INDIVIDUAL fourteen years of age or older who has not reached ~~his or her sixteenth~~ THE INDIVIDUAL'S EIGHTEENTH birthday may operate a motorboat only if ~~he or she~~ THE INDIVIDUAL:

(a) Completes a boating safety course approved by the division of parks and wildlife; and

(b) (I) ~~Has~~ POSSESSES a boating safety certificate issued by the boating safety course provider. ~~in his or her possession.~~

(II) WHILE OPERATING A MOTORBOAT, AN INDIVIDUAL REQUIRED TO OBTAIN A BOATING SAFETY CERTIFICATE PURSUANT TO THIS SUBSECTION (2) SHALL KEEP THE BOATING SAFETY CERTIFICATE IN THE INDIVIDUAL'S IMMEDIATE POSSESSION OR IN AN ACCESSIBLE PLACE ON THE MOTORBOAT. A COURT MAY WAIVE FINES INCURRED BY AN INDIVIDUAL FOR NOT HAVING THE BOATING SAFETY CERTIFICATE IN THE INDIVIDUAL'S POSSESSION OR IN AN ACCESSIBLE PLACE AT THE TIME OF OPERATING A MOTORBOAT IF THE INDIVIDUAL IS ABLE TO PRESENT EVIDENCE TO THE COURT OF HAVING COMPLETED A BOATING SAFETY COURSE PRIOR TO THE INFRACTION.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(3) ~~No person~~ AN INDIVIDUAL shall NOT permit or knowingly authorize a motorboat to be operated by ~~a person~~ AN INDIVIDUAL under ~~sixteen~~ EIGHTEEN years of age; except that ~~a person~~ AN INDIVIDUAL fourteen years of age or older who has not reached ~~his or her sixteenth~~ THE INDIVIDUAL'S EIGHTEENTH birthday may be permitted or authorized to operate a motorboat if ~~he or she~~ THE INDIVIDUAL has met the boating safety and certificate requirements of subsection (2) of this section.

(4) ~~No~~ NEITHER AN owner or operator of a vessel livery ~~or~~ NOR an agent or employee of such owner or operator shall lease, hire, or rent a motorboat to or for operation by any ~~person~~ INDIVIDUAL under ~~sixteen~~ EIGHTEEN years of age; except that ~~a person~~ AN INDIVIDUAL fourteen years of age or older who has not reached ~~his or her sixteenth~~ THE INDIVIDUAL'S EIGHTEENTH birthday may be permitted or authorized to operate a motorboat if ~~he or she~~ THE INDIVIDUAL has met the boating safety and certificate requirements of subsection (2) of this section.

(5) Any ~~person~~ INDIVIDUAL who violates this section commits a civil infraction and, upon conviction, ~~thereof~~, shall be punished by a fine of one hundred dollars.

(5.5) THE REQUIREMENTS OF THIS SECTION, AND RULES PROMULGATED PURSUANT TO THIS SECTION, DO NOT APPLY TO THE OPERATION OF MOTORBOATS ON BODIES OF WATER LOCATED ON PRIVATE PROPERTY.

(6) It is the intent of the general assembly that ~~no~~ general fund dollars SHALL NOT be appropriated for the purpose of implementing the requirements of this section.

SECTION 2. Effective date - applicability. This act takes effect June 1, 2024, and applies to conduct occurring on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: May 4, 2023